



June 19, 2002

U.S. Environmental Protection Agency, Region II
Emergency and Remedial Response Division
290 Broadway, 19th Floor, Room W-20
New York, NY 10007-1866

Attention: Ms. Janet Conetta
Strategic Integration Manager

Subject: Meeting Notes – Hudson River Foundation *et al.* June 13, 2002
Passaic River Study Area
Administrative Order on Consent Index No. II-CERCLA-0117

Dear Ms. Conetta:

Please find enclosed notes of the meeting between representatives of the United States Environmental Protection Agency (EPA), Hudson River Foundation, Passaic Valley Sewage Commissioners, the Port Authority of New York and New Jersey, and Tierra Solutions held on June 13, 2002 at Hudson River Foundation's office in New York, NY.

The intent of the meeting was to begin a scientific dialogue between two project teams that are both studying the Passaic River-Newark Bay system

Sincerely,

A handwritten signature in black ink, appearing to read "C. Firstenberg", is written over a horizontal line.

Clifford E. Firstenberg
Project Manager
On behalf of Occidental Chemical Corporation
(as successor to Diamond Shamrock Chemicals Company)

enclosure

(2 copies sent)

J. Conetta
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- 2c: Section Chief
NJDEP-Bureau of Federal Case Management
401 East State Street - CN 028
Trenton, NJ 08625-0028
Attn: Jonathan D. Berg
- 1c: Chief, New Jersey Superfund Branch
Office of Regional Counsel
U.S. Environmental Protection Agency
290 Broadway, 19th Floor, Room W-20
New York, NY 10007-1866
Attention: Diamond Alkali Site Attorney - Passaic River Study Area
- 1c: U.S. Environmental Protection Agency, Region II
Emergency and Remedial Response Division
290 Broadway, 19th Floor, Room W-20
New York, NY 10007-1866
Attention: Mr. Rick Winfield
- 1c: U.S. Environmental Protection Agency, Region II
Emergency and Remedial Response Division
290 Broadway, 19th Floor, Room W-20
New York, NY 10007-1866
Attention: Ms. Sharon Jaffess

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MEETING NOTES
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Port Authority of NY and NJ
Hudson River Foundation, New York, NY
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BACKGROUND

The objective of the meeting was to try to secure Tierra's attendance at Harbor Estuary Program/Contaminant Assessment Reduction Program (HEP/CARP) modeling meetings (either as an observer of the Modeling Evaluation Group (MEG) or at some other regular meeting). The Hudson River Foundation (HRF) is managing the development of a harbor-wide numerical model by HydroQual for HEP/CARP. Rick Winfield arranged this meeting with Jim Lodge (HRF) to begin a scientific dialogue between two project teams that are both studying the Passaic River-Newark Bay system. Apparently, at the HEP/CARP Management Committee meeting on Tuesday, 6/11, Suskowski told the group that he had the meeting scheduled with EPA and Tierra. PVSC expressed its displeasure to HRF at not being invited to the meeting and at not having a draft of the latest version of the pre-draft Volume 1 (May 20, 2002) CSO Workplan. HRF notified EPA of HRF's intent to include PVSC at the meeting. Winfield notified Tierra and confirmed that Tierra did not object.

A representative of the Port Authority of NY/NJ also attended the meeting, because, according to Suskowski, he felt obligated to invite his HEP/CARP/DMMIWG Co-chair, Tom Wakeman, but Wakeman could not attend and sent someone else in his place.

ATTENDEES

U.S. Environmental Protection Agency - Rick Winfield, Sharon Jaffess
Hudson River Foundation - Dennis Suskowski, Jim Lodge
Passaic Valley Sewage Commissioners - Bridget McKenna
Port Authority of New York and New Jersey - Atef Ahmed
Tierra Solutions, Inc. – Clifford Firstenberg

MEETING NOTES

The meeting started at 1030.

The topics are from the Agenda prepared by EPA:

1. 2002 TSI-CSO Sampling Program

Clifford Firstenberg provided a high-level overview of the CSO sampling plan, highlighting the differences from the earlier versions. He explained the anticipated timeline, and sequence of major tasks. There were very few questions; and those were of a clarifying nature.

Bridget McKenna expressed PVSC's displeasure at not having been involved in the latest rounds of revisions to the CSO Workplan. They were not happy to find out that there is a

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revised version of Volume 1 of the CSO WP and QAPP (PVSC had previously been provided Volumes 2 and 3), and that they had not been provided with a copy for review. Winfield explained that EPA was not obligated to get their comments/input prior to the plan being internally reviewed by EPA. Once reviewed, EPA will put the plan on its WEB site and everyone can have access to it, and, as in the past, USEPA will welcome input from stakeholders, especially PVSC whom we met with during development of the previous draft.

Winfield explained that the CSO program was included as an agenda item to demonstrate that the Passaic River study is generating data might be useful to HEP/CARP. Therefore, we needed to move on to the other topics of the meeting.

2. EPA's Coordination with USACE/OMR-NDOT Ecosystem Restoration Project

Winfield explained that EPA was routinely meeting with OMR and USACE and briefly explained that CERCLA was the 6-mile Study Area, the Corps was conducting the Lower Passaic Ecosystem Restoration Study on the lower 17 miles of the Passaic, and that Dawson and Associates was promoting the URRI concept.

3. Supplemental Data Needs

Winfield explained that EPA was hiring a contractor to assist on the Passaic project; that it was taking a long time; and that he hoped to have someone on board within a month. Suskowski asked how much the EPA contract was worth; Winfield said it was a lot more than \$100,000 but less than \$10,000,000. Winfield highlighted that the effort will include an emphasis on identifying additional PRPs, developing a preliminary mass balance, etc.

4. HEP/CARP – 2002/2003 Field Program

Winfield solicited HRF's input on this topic. He discussed the potential benefit to coordinate (e.g., when Stevens Institute deployed current meters in the Raritan and Hackensack Rivers, it might have benefited everyone if the program was expanded to include the Passaic River at the same time).

Lodge explained that they were still collecting data, and since joining HRF from the Corps about 3 months ago, he has been focused on the data that have already been collected and on the data that still need to be collected. He did not provide any specifics.

During this portion of the meeting, Winfield reported that he and Sharon Jaffess had gone on a boat tour up the Passaic with Andy Willner, NY-NJ Baykeeper and Bill Sheehan, Hackensack Riverkeeper on Monday, June 10. They observed the many CSOs and other discharges to the river.

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Winfield also discussed the importance of following USEPA's Superfund QA/QC procedures and thought that the HEP/CARP would benefit from considering a Superfund-approved QAPP for their program.

5. HEP/CARP – Status of CARP Modeling

Lodge summarized:

- Phase I – high-level model; mass balance; complete by December 2003. They're still on schedule, but are still collecting data, and the schedule could change.
- Phase II – detailed, sophisticated modeling, to be completed in 2005

HRF is managing HydroQual in the development of the model. Suskowski said his plan is to develop this sophisticated model and then allow everyone to use it. Lodge and Winfield discussed that Tierra's modeling could be nested with HEP/CARP's.

Winfield inquired regarding the status of developing the mercury kinetics and said he is considering the need to conduct lab/field experiments to understand and quantify mercury kinetics for modeling. Suskowski explained that HRF is sponsoring various researchers (Rutgers, University of Maryland, others) to do these types of studies, or similar, and that he expects the HydroQual model to incorporate everything. However, since mercury was going to be one of the last chemicals addressed, there is time to incorporate these results later in the process of model development. He recommended that EPA wait on these sorts of studies.

Winfield asked about the sedtox component of the model. Suskowski explained that HRF will be sponsoring a TIE workshop in the near future to get input.

At some point, a brief discussion ensued on TMDLs, and how the model might be used for that purpose. Suskowski said he supports the philosophy of Kevin Brick, who believes that CERCLA is a subset of the TMDL process.

6. Interface Opportunities between ongoing Passaic River and HEP/CARP

Winfield explained what he was hoping to accomplish, and Firstenberg provided some thoughts on the benefits to HRF and the HEP/CARP modeling, of having Tierra and its team involved in their modeling activities. Suskowski said that he was conducting a non-political activity and did not want anyone else to come in to "observe and influence" the process. Firstenberg explained that Tierra had no intent to "influence" and that Tierra did not want to influence the HRF process since the company would not want that liability. Tierra believes it makes sense to be involved since both organizations are working on numerical models with overlapping geography. Also, it is unarguable that Tierra's team is the most knowledgeable of

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the lower Passaic system, and would therefore have a lot to offer. Suskowski was only interested in data – if Tierra has any data that it thinks HRF needs, Tierra should provide it to them.

Winfield explored the possibility of HRF being sent a copy of the Tierra data summary presentation book provided at the May 29, 2002 meeting in Newark (Tierra agreed). Winfield went on to say that he would try to come up with a forum where HEP/CARP scientists might have an interchange with the Tierra scientific team.

Suskowski explained that the HRF was considering convening an Expert Panel to serve as peer reviewers for the modeling.

The meeting concluded at 1230.

D:\Files\Projects\AOC\AOC Related Meetings\HRF et al 06-13-02.doc